

REMARKS/ARGUMENT

As a preliminary matter, in response to the restriction requirement, applicants affirm the election of Group I (claims 1-6, 8-9, and 11-13) by telephone on December 16, 2008. Group II (claims 14-15) stand withdrawn.

Claim 1 has been amended to recite that the membrane is made from a hydrophobic material; support is found in paragraph [0056] of published application US 2007/0205155 A1. Claim 1 has also been amended to incorporate the limitations of claim 6; support is in claim 6 as filed. Accordingly, no new matter has been introduced by these amendments.

Claims 1-6, 9 and 12-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by the Zhu *et al.* reference (Zhu). The Examiner is correct that Zhu discloses hydrophobic membranes and hydrophilic membranes. However, Zhu does not disclose a membrane made from a hydrophobic material that is hydrophilic on the feed side of the membrane, as recited in claim 1 as amended. In addition, amended claim 1 recites that the permeate side of the membrane has a contact angle for a drop of water of greater than about 90°, and that the feed side of the membrane to has a contact angle for a drop of water of less than about 70°. Nor does Zhu disclose these further limitations. Since all the remaining claims ultimately depend from claim 1, they are likewise novel with respect to Zhu.

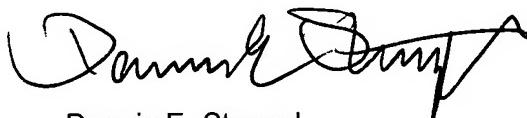
Claims 1-6, 8-9, and 11-13 stand rejected under 35 U.S.C. 103(a) as being obvious over Zhu in combination with Kallury US 7,468,281 (Kallury), the Examiner contending that Kallury discloses the use of "hydrophilized hydrophobic membranes" for sample purification and analysis of drugs, pointing to column 4, lines 47-60. The Examiner is respectfully submitted to

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be in error, as there is no support for such a proposition at the cited passage of Kallury. Indeed, the only mention of a hydrophobic microporous membrane is as a support membrane that may be useful for incorporating membrane-forming solid or liquid materials. Column 5, lines 59-61. In sum, Kallury does not disclose, teach, or suggest the use of a microporous membrane made from a hydrophobic material that has a hydrophilic feed side, as claimed. Accordingly, the combination of Zhu and Kallury does not render the claimed subject matter obvious.

Early and favorable reconsideration is respectfully solicited.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this AMENDMENT is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to:
MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date

3/20/09


Dennis E. Stenzel